



counseling beginning July 2005. Dr. Goldwaser, in his first correspondence, reported that there were no psychiatric contraindications to Dr. Ward's return to the clinical practice of dentistry for unimpaired adults. Dr. Goldwaser was then asked by respondent to offer an opinion as Dr. Ward's fitness to provide orthodontic treatment to patients over the age of ten. In a supplemental submission, Dr. Goldwaser, after consulting with Dr. Reichbart, modified his opinion to include such patients. Dr. Reichbart's submissions referred to Dr. Ward's progress in therapy, leading Dr. Reichbart to the conclusion that Dr. Ward could treat unimpaired adults as well as children over the age of ten.

Respondent, in his testimony, stated that he has gained insight into his conduct and the circumstances that led to the Board's action in 2000. He further discussed his employment and professional activities during the period he was not practicing dentistry. Dr. Ward urged the Board to permit his return to practice, particularly treatment of children as that is the specialty in which he was trained.

In considering this application, the Board notes that respondent has been compliant with all Board orders. The Board has received no complaints regarding Dr. Ward since he was reinstated to the administrative practice of dentistry in 2005. Further, both the evaluating psychiatrist and the treating psychoanalyst have advised the Board that they see no impediment to Dr. Ward's return to practice to treat certain patient populations. Respondent has taken multiple continuing education courses to ensure his continued competency to practice clinical dentistry.

The Board is mindful of the serious allegations that initiated the disciplinary action in April 2000. Dr. Ward, by his actions and as evident from his testimony before the Board, appears to have gained significant insight into the factors that gave rise to those

allegations. His request to provide treatment to children over the age of ten may reflect his understanding that the Board - ever mindful of its responsibility to protect the public health, safety, and welfare - will move most judiciously in permitting his return to clinical practice.

Considering the record as created in connection with this application, the Board has determined to permit respondent to return to the clinical practice of dentistry with restrictions. The Board has carefully evaluated the reports presented as well as respondent's testimony through its own expertise regarding the practice of dentistry. It has determined that, at this time, Dr. Ward may treat patients age twelve and over. Respondent may not treat patients under the age of twelve nor may respondent treat disabled patients, regardless of their age. The Board has determined that these restrictions will permit respondent to re-enter the clinical practice of dentistry in a manner consistent with the public health, safety, and welfare. This re-entry into clinical practice is conditioned upon Dr. Ward's continuing in counseling. Should respondent's treating psychologist determine that such therapy is no longer necessary, Dr. Ward shall notify the Board in writing and receive Board approval for that discontinuance. The Board reserves the right to determine whether further counseling or evaluations are necessary.

THEREFORE, IT IS ON THIS 6<sup>th</sup> DAY OF FEBRUARY, 2008;

ORDERED that the application of Kevin P. Ward, D.D.S., to practice clinical dentistry is granted subject to the following restrictions:

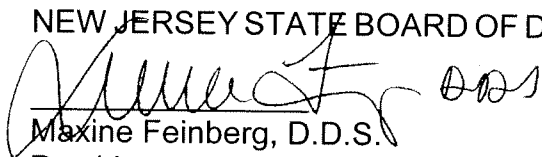
1. Kevin Ward, D.D.S., may treat patients age twelve and older. Dr. Ward shall not treat patients under the age of twelve, nor shall he treat persons with disabilities

regardless of their age. Dr. Ward shall obey all laws and regulations governing the practice of dentistry.

2. Dr. Ward shall not engage in the clinical practice of dentistry as a sole proprietor. At all times when Dr. Ward and patients are in the facility, there shall be a licensed New Jersey dentist present in the dental office. This shall include but not be limited to diagnosis and treatment planning, clinical contact with patients, and supervision of dental auxiliaries. Dr. Ward shall provide a list of licensed dentists who are practicing at any location where he will be practicing.

3. Dr. Ward shall continue in therapy until further order of the Board. Should Dr. Ward's therapist determine that counseling is no longer necessary, Dr. Ward shall notify the Board in writing and obtain Board approval for the discontinuance. In support of any application to discontinue therapy, Dr. Ward shall cause the therapist to submit a report in writing to the Board indicating the reasons why the therapist recommends discontinuance. If counseling is terminated for any reason not under Dr. Ward's control, Dr. Ward shall notify the Board in writing immediately. The Board reserves the right to require further evaluation or counseling.

5. This order shall remain in effect until further order of the Board. Violation of the terms of this order shall subject respondent to disciplinary action, including suspension of license, on short notice.

NEW JERSEY STATE BOARD OF DENTISTRY  
  
Maxine Feinberg, D.D.S.  
President